

Message Text

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ACTION EA-12

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 PM-05 H-01
INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15
USIA-06 /066 W
-----127470 231255Z /47

R 230740Z FEB 78
FM USLO PEKING
TO SECSTATE WASHDC 9958
INFO AMCONSUL HONG KONG
AMEMBASSY TAIPEI
AMEMBASSY TOKYO

C O N F I D E N T I A L PEKING 0495

E.O. 11652: GDS
TAGS: SHUM CH

SUBJ: CHINESE MEDIA DISCUSS CRIME AND PUNISHMENT

1. PEKING'S NEW CHINA NEWS AGENCY FEBRUARY 21 CARRIED TWO ARTICLES DEALING WITH THE PRC'S POLICY ON CRIMINAL JUSTICE. ONE OF THE ARTICLES, IN THE FORM OF AN INTERVIEW WITH CHINESE ACADEMY OF SCIENCES LAW INSTITUTE DEPUTY DIRECTOR HAN YU-TUNG, EMPHASIZED THE LEGAL RIGHTS OF THE CHINESE PEOPLE AND THE PRC'S POLICY OF LENIENCY TOWARD CONVICTED OFFENDERS. WHILE ACKNOWLEDGING THE EXISTENCE OF CAPITAL PUNISHMENT, WHICH NCNA NOTES "IS WIDELY OPPOSED NOW ABROAD," THE ARTICLE STRESSED THAT IT IS USED ONLY FOR "CRIMINALS WHO OWE BLOOD DEBTS OR ARE GUILTY OF OTHER EXTREMELY SERIOUS CRIMES." IT ALSO STATES THAT CHINESE POLICY IS TO SUSPEND EXECUTIONS WHEREVER POSSIBLE IN AN ATTEMPT TO REFORM THE OFFENDER.

2. A SECOND ARTICLE, LIKEWISE AN INTERVIEW, DEALS WITH THE PRC'S PRISON SYSTEM. PUTTING THE EMPHASIS ON RE-EDUCATION OF PRISONERS, THE ARTICLE ATTEMPTS TO SHOW THROUGH USE OF

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STATISTICS AND CASE HISTORIES THAT THE OVERWHELMING MAJORITY OF CONVICTS ARE SUCCESSFULLY REFORMED AND RETURNED TO SOCIETY AS LAW-ABIDING CITIZENS. THIS ARTICLE DOES NOTE IN PASSING THAT CRIMES DESERVING CAPITAL PUNISHMENT INCLUDE MURDER, ARSON, RAPE ROBBERY, AND "HEADING GANGS OF RUFFIANS."

3. COMMENT: PUBLIC ACKNOWLEDGEMENT OF THE PRC PRISON SYSTEM

IS EXTREMELY RARE, ALTHOUGH SELECTED FOREIGN VISITORS HAVE
OCCASIONALLY BEEN GIVEN A GLIMPSE OF A JAIL OR HAVE SAT IN
ON APPARENTLY WELL-REHEARSED TRIALS. THESE ARTICLES ON THE OTHER HAND
HAVE NOT YET APPEARED IN THE CHINESE-LANGUAGE PRESS THIS FACT,
PLUS THE RELATIVELY DEFENSIVE TONE ADOPTED ON CAPITAL PUNISH-
MENT, SEEMS TO INDICATE THAT THE ARTICLES ARE INTENDED
TO COUNTER EXISTING AND POTENTIAL FOREIGN CRITICISM OF THE PRC'S
RECORD IN HUMAN RIGHTS THEY ARE THUS AN INTERESTING
INDICATOR OF PEKING'S SENSITIVITY ON THIS SUBJECT.
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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CRIMES, PRESS COMMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 feb 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978PEKING00495
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780084-0058
Format: TEL
From: PEKING
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780222/aaaaasez.tel
Line Count: 72
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 414608d1-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: ONLY
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 13 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3504652
Secure: OPEN
Status: NATIVE
Subject: CHINESE MEDIA DISCUSS CRIME AND PUNISHMENT
TAGS: SHUM, SOPN, CH
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/414608d1-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014